

Learn more about your child maintenance options

Helping you to find the best arrangement for your child and your circumstances.

The following information that Child Maintenance Options has provided is not a substitute for independent professional advice and users should get professional advice relevant to their particular circumstances.

Most men want to do what's best for their child and understand that they are still responsible for supporting them financially after a separation. But in a violent or abusive situation it can be difficult to see how child maintenance can work in practice, especially if you're not sure of all the options.

If you're wondering about child maintenance but you're not sure where to start, or if you're worried about needing to have contact with your ex partner to get something set up, you can contact Child Maintenance Options. It's a free and impartial service - made up of a helpline, a website, and a face to face service if you need it - giving you access to specialist support and information. It can also help you to get information about other issues you might be thinking about (like housing and legal rights) and put you in touch with other organisations that may also be able to help.

Child Maintenance Options is confidential. Their specialists have dealt with all kinds of situations and understand that it's natural to worry about confidentiality, especially if violence or abuse is involved. When you give them any information, either on the phone or online, it won't be passed on to any other person or organisation (unless you specifically ask for it to be). This includes the other parent and any other family members.

No matter how many times you contact Child Maintenance Options, our specialists won't force you into setting up an arrangement. You'll get as much support and information as you need to make an informed decision for yourself and your child, but you'll never be pushed into something you're not happy with.

You can contact Child Maintenance Options on 0800 988 0988* or [visit www.cmoptions.org](http://www.cmoptions.org).

Child maintenance questions and answers

What is child maintenance?

Child maintenance is regular, reliable financial support that helps towards a child's everyday living costs. Usually the parent without the main day-to-day care of the child pays child maintenance to the parent with the main day-to-day care (the parent with care). In some cases, this person can be a grandparent or guardian.

* Calls to 0800 numbers are free from BT landlines but you may have to pay if you use another phone company, a mobile phone, or if you are calling from abroad.

Why is child maintenance important?

Having an effective child maintenance arrangement in place can make a real difference to a child's wellbeing and the quality of his or her family relationships.

By making a child maintenance arrangement and keeping to it parents can help their children get the best start in life, giving them more potential opportunities and choices. Even small contributions can make a big difference in helping children to grow and develop into secure and confident people.

How can I arrange child maintenance?

There are various ways that you can arrange to pay or receive child maintenance:

- through a family-based arrangement
- through a statutory arrangement, currently provided by the Child Support Agency (CSA)
- by using the courts

We've briefly explained each of these options below:

Option 1: A family-based arrangement between both parents

Separated and separating parents can make an arrangement about child maintenance without using the courts or the Child Support Agency (CSA), although if you're coming out of an abusive or violent relationship you may not be in a position to discuss things freely or even to make contact.

If you feel unsafe and don't want to contact the other parent you might prefer to use the government's statutory child maintenance scheme, which the CSA provides. You can find out more about this in the next section (option 2).

However, if you can come to an arrangement with the other parent directly, there are several benefits to having a family-based arrangement:

- they're quick and easy to set up
- they involve little paperwork
- there are no set rules so you can be more flexible. For example:
 - you can agree between you on how much payments should be, and when they should be made
 - if either parent's circumstances change, your arrangement can change straight away if you both agree to it
 - if you agree that you would rather pay for or receive things like clothing for your child instead of money, you should be able to

There is a chance that family-based arrangements can fail – for example if either parent doesn't stick to the terms of the agreement, or if they aren't honest about their situation. Also, family-based arrangements aren't usually legally binding, so there is no way of enforcing any missed payments – although a person can apply to the CSA at any time if they find that their family-based arrangement isn't working.

Child Maintenance Options (0800 988 0988*) can talk you through all aspects of a family-based arrangement and help you to decide whether or not this option is the best one for you and your child.

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You can also [use the Child Maintenance Options calculator](#) to give you an indication of what your payments could be. You could use this amount as a starting point for negotiating your family-based arrangement.

You can [download a family-based arrangement form](#) too – you can use the form to keep a record of what you and the other parent have agreed.

If you want to make a family-based arrangement, but are finding it hard to negotiate with the other parent, you can get help from a professional mediator or [collaborative family lawyer](#). Child Maintenance Options can put you in touch with organisations who are specialists in this area.

Option 2: A CSA arrangement

If you feel that you can't make a family-based arrangement work, you can ask the government's statutory child maintenance service to work out, collect and transfer child maintenance for you. The Child Support Agency (CSA) provides this service.

The statutory service will:

- trace the other parent if their address is unknown
- collect and enforce payments
- allow parents to avoid contact

A CSA arrangement is legally binding and is based on a formula that takes into account the number of children and income of the non-resident parent. This type of arrangement can last until the child is 16, or 19 if they're in full-time education.

Either parent can apply to the CSA.

Maintenance Direct

The CSA also offers a service called Maintenance Direct, where they calculate child maintenance but don't collect it. The non-resident parent makes payments directly to the parent with main day-to-day care of the child.

With Maintenance Direct, parents can agree between themselves how and when money is paid.

The CSA can still give advice and guidance when circumstances change and a new calculation has to be made, and can step in and take action if the non-resident parent doesn't make the payments they should.

You can get an idea of how much child maintenance you might pay or receive through the CSA by using the [Child Maintenance Options Calculator](#):

Option 3: Using the courts

Separated parents also have the option of arranging child maintenance and enforcing payment through the courts. Depending on where you live, the process can be slightly different:

Consent Order (a type of court order in England and Wales)

This is an official ruling made by a court. It is normally used when parents are deciding a divorce settlement or sharing assets. Both parents normally have to work with solicitors to agree the amount of child maintenance to be paid. They then apply to the court to turn the agreement into a Consent Order.

A Consent Order means the court can enforce payment if the non-resident parent doesn't pay. However, getting a Consent Order can be expensive. Legal Aid is unlikely to cover these costs if you are only going to court to get a Consent Order for child maintenance.

Also, you can't ask the CSA to make a child maintenance arrangement during the first 12 months of a Consent Order.

Minute of agreement (in Scotland)

Things are slightly different in Scotland. If you can make a family-based agreement with the other parent (usually with help from solicitors), it can be made into a contract called a Minute of Agreement. This can be registered to make it legally binding.

If the parent without the main day-to-day care doesn't pay the child maintenance agreed in the Minute of Agreement, a sheriff officer can collect and enforce payments.

Where can I get more information about these options?

You can contact Child Maintenance Options for impartial information and support by calling 0800 988 0988* or visiting www.cmoptions.org.

What is Child Maintenance Options?

Child Maintenance Options is a free and confidential service for separating and separated parents, family, friends, guardians and anyone else with an interest in child maintenance.

The service can help you to find the right child maintenance arrangement for you and your child, by giving you impartial information on all your available options.

Child Maintenance Options can also give you practical support on many of the other issues faced by separated parents. For example, they can put you in touch with other helpful groups offering specialist advice to help you start dealing with things like housing, work, money and emotional well-being.

How can Child Maintenance Options help me?

Child Maintenance Options will give you information and support to help you:

- understand your options if you don't already have a child maintenance arrangement, or if you don't think your current arrangement is working
- understand how much child maintenance you might pay or receive – whether through a family-based arrangement or a CSA arrangement

Child Maintenance Options will never:

- force anyone to set up a child maintenance arrangement
- contact the other parent
- pass any information on to the CSA – or anyone else (unless you ask them to)

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I'd like to read more about all of this – where can I look?

As well as visiting www.cmoptions.org you can take a look at the links below:

Child maintenance - getting started

An introduction to child maintenance and the different options available to you.

Family-based arrangement form

A family-based arrangement is one of the options for sorting out child maintenance, where you and the other parent reach an arrangement between yourselves. This leaflet explains more about this option, and includes a form that you can use to keep a record of your agreement.

Money and finance: for parents living apart

This leaflet provides information about money matters for parents living apart, including the best way to manage your finances.

Housing rights and options: for parents living apart

This leaflet has lots of useful information on your housing rights and options as a separated parent, including financial help you may be entitled to.

Employment rights and opportunities: for parents living apart

This leaflet gives parents who live apart impartial information about employment opportunities and rights. This includes where you can find help with childcare and looking for a job.

Emotional well-being: for parents living apart

This leaflet can help you deal with the feelings you may have when raising a child apart from the other parent. It also talks about how to support your child during what can be an emotionally difficult time.

Legal rights and responsibilities: for parents living apart

This leaflet explains the rights and responsibilities of separated parents, with information on what services and specialist legal advice are available. It also discusses some of the practical considerations for separated families.

Discussion guide

This tool is for parents who need some support or guidance to start or continue their discussions around child maintenance arrangements.

Kids in the Middle

A guide on how to minimise the effect that your separation has on your children from Agony Aunt Deidre Sanders.

Relate Live Chat

Talk confidentially and get advice on divorce, separation and other family relationship issues from Relate4Parents.